

Resolution Agreement

Paso Robles Joint Unified School District

09-14-1376

In order to resolve the compliance issues identified during the investigation of the above-referenced complaint filed with the U.S. Department of Education, Office for Civil Rights (OCR), the Paso Robles Joint Unified School District agrees to implement this Resolution Agreement (Agreement).

I. Sex Discrimination Complaint Procedures

- a. The District will: revise Administrative Regulation 5145.7 (Student Complaints of Sexual Harassment) and Administrative Regulation 1312.3 (Uniform Complaint Procedure) to clarify how a student, parent or guardian, or third party can file a complaint of sexual harassment and revise either or both procedures, as appropriate, to provide for the prompt and equitable resolution of complaints of sexual harassment. The revisions will, at a minimum, ensure that the applicable procedure(s) include:
 - i. a definition and examples of sexual harassment;
 - ii. notice that voluntary mediation is not available for complaints alleging sexual violence;
 - iii. an assurance that sexual harassment investigations will be conducted by individuals with knowledge of the applicable legal standards under Title IX of the Education Amendments of 1972, as well as relevant District policies and complaint procedures;
 - iv. a reasonably prompt investigation timeframe;
 - v. reference to the availability of interim measures during the investigation to ensure the safety of the alleged victim, to address any ongoing harassment, and to prevent retaliation;
 - vi. notice of the consequences imposed if the either the alleged victim or the accused individual refuses to provide evidence, fails or refuses to cooperate, or obstructs the investigation;
 - vii. factors to be considered in reaching a determination and judging the severity of harassment;
 - viii. applicable appeal rights; and
 - ix. a requirement to contact the individual harassed within a reasonable period of time following conclusion of the investigation to assess whether there has been ongoing harassment or retaliation, and to determine whether additional supportive measures are needed.
- b. The District will provide written notice of the revised AR 5145.7 and AR 1312.3 to all parents and students in the District by email and by publication on the District's website. Beginning in the 2015-2016 school year, the District will publish a summary of the revised procedures in the annual notification to parents, and in any applicable student handbooks.

- c. The District will provide written notice of the revised AR 5145.7 and AR 1312.3 through its internal email system to all staff and administrators in the District, and will ensure the Revised Procedures are including in any applicable employee handbooks beginning in the 2015-2016 school year.
- d. Reporting Requirements:
 - i. By May 15, 2015, the District will submit its draft revised AR 5145.7 and AR 1312.3 to OCR for review and approval.
 - ii. Within 30 days of OCR approval, the County will verify that it has adopted the revised procedures and provided notice to students, parents, staff, and administrators in accordance with Sections I.b.-c. above.

II. Training or Written Guidance

- a. The District will take effective action, through training or written guidance, to ensure that all District and site level administrators have a clear understanding of:
 - i. the type of information that, when reported or observed, should be considered an allegation of sexual harassment and trigger an investigation under the revised procedure(s) applicable to sexual harassment complaints,
 - ii. that the District may have a duty under Title IX of the Education Amendments of 1972 to respond appropriately to reports of sexual harassment, whether or not a formal complaint is filed; and
 - iii. the District's procedures for resolving complaints of sexual harassment and administrators' responsibility to inform students and parents/guardians who report sexual harassment of the procedures.
- b. Reporting Requirements:
 - i. By June 30, 2015, the District will report to OCR the effective action that it has taken under II.a. If written guidance is issued, the District will provide a copy to OCR and confirm distribution to all District and site level administrators. If training is conducted, the District will report the date(s), participants, trainer, and information conveyed.

III. Monitoring

- a. The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has fulfilled its terms and is in compliance with the regulation implementing Title IX, at 34 C.F.R. §§106.31 and 106.8(b), which were at issue in this case.
- b. By signing this Agreement, the District agrees to provide data and other information in a timely manner in accordance with the reporting requirements of this Agreement. The District further understands that during the monitoring of this agreement, if necessary, OCR may visit the District, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the District has fulfilled the terms of

this Agreement and is in compliance with the regulation implementing Title IX, at 34 C.F.R. §§106.31 and 106.8(b), which were at issue in this case.

- c. The District understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Agreement. Before initiating administrative enforcement (34 C.F.R. §§100.9, 100.10), or judicial proceedings to enforce this Agreement, OCR shall give the District written notice of the alleged breach and a minimum of 60 calendar days to cure the alleged breach.

_____/s/_____
Chris Williams
Superintendent

04/16/2015
Date